

Docket 57906-B/JPW/AG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William C. Olson and Paul J. Maddon

Serial No.: 09/594,983

Group Art Unit: 1648

Filed: June 15, 2000

Examiner: B. Peng

For: CCR5 ANTIBODY PA14

1185 Avenue of the Americas
New York, New York 10036

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Progenics Pharmaceuticals, Inc. ("Progenics"), 777 Old Saw Mill River Road, Tarrytown, New York 10591, is the assignee of record of the entire right, title and interest in the above-identified application by virtue of an assignment from William C. Olson and Paul J. Maddon, which assignment was recorded in the U.S. Patent and Trademark Office on July 26, 2000 at Reel No. 011018, Frame 0082, and a copy of which is attached hereto as **Exhibit A**.

Progenics is also the assignee of record of the entire right, title and interest in U.S. Serial No. 10/371,483, now allowed, by virtue of an assignment from William C. Olson and Paul J. Maddon, which assignment was recorded in the U.S. Patent and Trademark Office on August 18, 2003 at Reel No. 014393, Frame 0471, and a copy of which is attached hereto as **Exhibit B**.

Progenics hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on the subject application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent issued from allowed U.S. Serial No. 10/371,483, filed February 21, 2003, and hereby agrees that any patent issued from the subject application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to any patent granted on U.S. Serial No. 10/371,483, this agreement to run with any patent granted on the subject application and to be

Applicants: William C. Olson and Paul J. Maddon
Serial No.: 09/594,983
Filed: June 15, 2000
Page 2

binding upon the grantee, its successors and assigns. In making the above disclaimer, Progenics does not disclaim the terminal part of any patent granted on the subject application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent granted on U.S. Serial No. 10/371,483, in the event that any patent granted on U.S. Serial No. 10/371,483 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

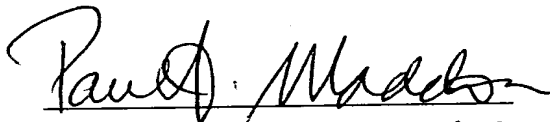
I have reviewed the assignments attached hereto and certify that to the best of my knowledge and belief, Progenics has the entire right, title and interest in the subject application and in U.S. Serial No. 10/371,483. I further certify that I am authorized to sign this Terminal Disclaimer on behalf of Progenics Pharmaceuticals, Inc.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 19-SEP-06

Progenics Pharmaceuticals, Inc.

By:



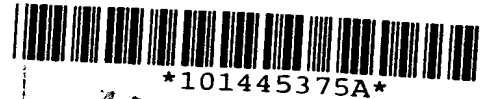
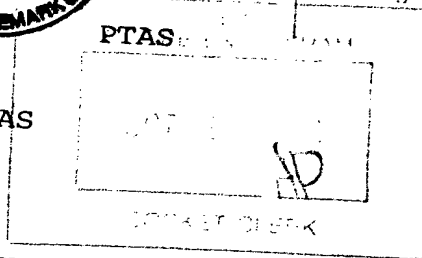
Paul J. Maddon, M.D., Ph.D.
Chief Executive Officer
Progenics Pharmaceuticals, Inc.



57905-A JPA
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 13, 2000

COOPER & DUNHAM LLP
JOHN P. WHITE
1185 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036



Handwritten signature/initials

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/26/2000

REEL/FRAME: 011018/0082
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
OLSON, WILLIAM C.

DOC DATE: 04/24/2000

ASSIGNOR:
MADDON, PAUL J.

DOC DATE: 04/24/2000


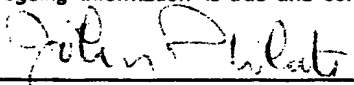
ASSIGNEE:
PROGENICS PHARMACEUTICALS, INC.
777 OLD SAW MILL RIVER ROAD
NEW YORK, NEW YORK 10591

SERIAL NUMBER: 09464902
PATENT NUMBER:

FILING DATE: 12/16/1999
ISSUE DATE:

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

BEST AVAILABLE COPY

FORM PTO-1595 (Substitute) (Rev. 8-98) <u>7-24-00</u>		 101445375		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	
To the Honorable Commissioner of Patents					
1. Name of conveying party(ies): <u>William C. Olson</u> <u>Paul J. Maddon</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: <u>Progenics Pharmaceuticals Inc.</u> Internal Address: _____ Street Address: <u>777 Old Saw Mill River Road</u> City/State/Zip: <u>New York, New York 10591</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date(s): <u>4/24/00; 4/24/00</u>		4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date(s) of the application is(are): _____ A. Patent Application No.(s) <u>09/464,902</u> <u>filed December 16, 1999</u> B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>John P. White</u> Internal Address: <u>Cooper & Dunham LLP</u> Street Address: <u>1185 Avenue of the Americas</u> City/State/Zip: <u>New York, New York 10036</u>		6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR \$3.41): \$ <u>40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: <u>03-3125</u>			
DO NOT USE THIS SPACE					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <u>John P. White</u> Name of Person Signing Reg. No. 28,678 </div> <div style="width: 30%; text-align: center;">  Signature </div> <div style="width: 30%; text-align: right;"> <u>July 24, 2000</u> Date </div> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. <u>John P. White</u> <u>7/24/00</u> John P. White Date Reg. No. 28,678 </div> <div style="margin-top: 10px;"> Total Number of pages including cover sheet, attachments and document: <u>3</u> </div>					
OMB No. 0651-0011 (exp. 4/94)					
Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks Box Assignments Washington, D.C. 20231					

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Assignment

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

*William C. Olson residing at 21 Fawn Court, Ossining, New York 10562 and
Paul J. Maddon residing at 191 Fox Meadow Road, Scarsdale, New York 10583*

*Hereby sell, assign and transfer to Progenics Pharmaceuticals, Inc.
a corporation of the State of*

*Delaware having a place of business at 777 Old Saw Mill River Road
New York in the County of Westchester and State of New York 10591
its successors, assigns and legal representatives, the entire right, title and interest
for all countries, in and to any and all inventions which are disclosed and claimed,
and any and all inventions which are disclosed but not claimed, in the application for
United States Patent, which has been executed by the undersigned on 4/24/00; 4/24/00
and is entitled*

*SYNERGISTIC INHIBITION OF HIV-1 FUSION AND ATTACHMENT, COMPOSITIONS AND
ANTIBODIES THERETO*

*(U.S. Serial No. 09/464,902, filed December 16, 1999, claiming priority of U.S. Provisional Application
No. 60/112,532, filed December 16, 1998).*

*and in and to said application and all divisional, continuing, substitute, renewal,
reissue, and all other applications for U.S. Letters Patent or other related property
rights in any and all foreign countries which have been or shall be filed on any of
said inventions disclosed in said application; and in and to all original and reissued
patents or related foreign documents which have been or shall be issued on said
inventions;*

*Authorize and request the Commissioner of Patents of the United States to issue
to said Assignee, the corporation above named, its successors, assigns and legal
representatives, in accordance with this assignment, any and all United States
Letters Patent on said inventions or any of them disclosed in said application;*

Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: April 24 2000

Witness: Scott A. Smith

Scott A. Smith

15 Watkins Ave.

Middletown, NY 10841-1040

Date: April 24 2000

Witness: Scott A. Smith

Scott A. Smith

15 Watkins Ave.

Middletown, NY 10841-1040

William C. Olson [L.S.]
William C. Olson

Paul J. Maddon [L.S.]
Paul J. Maddon

ASSIGNMENT
BY

WILLIAM C. OLSON
PAUL J. MADDON

TO

PROGENICS PHARMACEUTICALS, INC.

Application for Letters Patent
of the United States for:

SYNERGISTIC INHIBITION OF HIV-1
FUSION AND ATTACHMENT, COMPOSITIONS
AND ANTIBODIES THERETO

Attorney ~~for~~ John P. White

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, N.Y. 10036
212-278-0400

EXHIBIT B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 08, 2004

COOPER & DUNHAM
JOHN P. WHITE
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

PTAS



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RECORDATION DATE: 08/18/2003

REEL/FRAME: 014393/0471
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

OLSON, WILLIAM C.

DOC DATE: 07/02/2003

ASSIGNOR:

MADDON, PAUL J.

DOC DATE: 06/30/2003

ASSIGNEE:

PROGENICS PHARMACEUTICALS, INC.
777 OLD SAW MILL RIVER ROAD
TARRYTOWN, NEW YORK 10591

SERIAL NUMBER: 10371483

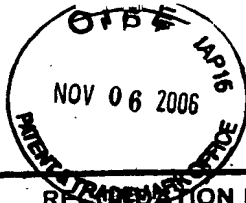
FILING DATE: 02/21/2003

PATENT NUMBER:

ISSUE DATE:

014393/0471 PAGE 2

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



08-20-2003



102530346

106-D/JPW/MAF

Form PTO-1595
(Rev. 10-02)

RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 6/30/2005)

PATENTS ONLY

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

William C. Olson and
Paul J. MaddonAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: July 2, 2003; June 30, 2003

2. Name and address of receiving party(ies)

Name: Progenics Pharmaceuticals, Inc.

Internal Address:

Street Address: 777 Old Saw Mill River
Road

City: Tarrytown State: NY Zip: 10591

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/371,483

filed 2-21-03

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John P. White, Esq.

Internal Address: Cooper & Dunham

Street Address: 1185 Avenue of the
Americas

City: New York State: NY Zip: 10036

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

03-3125

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark A. Farley

Name of Person Signing

Signature

8-13-03

Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

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Assignment

In consideration of One Dollar (\$1.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the undersigned,

William C. Olson, residing at 21 Fawn Court, Ossining, New York, 10562, U.S.A.; and
Paul J. Maddon, residing at 191 Fox Meadow Road, Scarsdale, New York, 10583, U.S.A.

Hereby sell, assign and transfer to Progenics Pharmaceuticals, Inc.
a corporation of the State of

Delaware

having a place of business at 777 Old Saw Mill River Road, Tarrytown, N.Y.
in the County of Westchester and State of New York 10591

its successors, assigns and legal representatives, the entire right, title and interest for all countries, in and to any and all inventions which are disclosed and claimed, and any and all inventions which are disclosed but not claimed, in the application for United States Patent, which has been executed by the undersigned on and is entitled

ANTI-CCR5 ANTIBODY

(U.S. Serial No. 10/371,483, filed February 21, 2003 claims the benefit of U.S. Provisional Application No. 60/358,886, filed February 22, 2002).

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for U.S. Letters Patent or other related property rights in any and all foreign countries which have been or shall be filed on any of said inventions disclosed in said application; and in and to all original and reissued patents or related foreign documents which have been or shall be issued on said inventions;

Authorize and request the Commissioner of Patents of the United States to issue to said Assignee, the corporation above named, its successors, assigns and legal representatives, in accordance with this assignment, any and all United States Letters Patent on said inventions or any of them disclosed in said application;

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Agree that said Assignee may apply for and receive foreign Letters Patent or rights of any other kind for said inventions, or any of them; and may claim, in applications for said foreign Letters Patent or other rights, the priority of the aforesaid United States patent application under the provisions of the International Convention of 1883 and later modifications thereof, under the Patent Cooperation Treaty, under the European Patent Convention or under any other available international agreement; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned or the undersigned's executors or administrators will, for the United States and all foreign countries, execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications or other documents on any and all said inventions; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives, all facts known and documents available to the undersigned relating to said inventions and the history thereof; testify in all legal proceedings; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said inventions and for vesting title to said inventions and all applications for patents or related foreign rights and all patents on said inventions, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: JULY 2, 2003
Witness: [Signature] (signature)
ELIZABETH MANECCHI (printed name)
50 BELLEVUE AVE (address)
ELLSING NY 10562

[Signature] [L.S.]
William C. Olson

Date: JUNE 30, 2003
Witness: [Signature] (signature)
ELIZABETH MANECCHI (printed name)
50 BELLEVUE AVE (address)
ELLSING NY 10562

[Signature] [L.S.]
Paul J. Maddon

BEST AVAILABLE COPY

ASSIGNMENT
BY

WILLIAM C. OLSON
PAUL J. MADDON

TO

PROGENICS PHARMACEUTICALS, INC.
Application for Letters Patent
of the United States for:

ANTI-CCRS ANTIBODY

Attorney ~~XXX~~ John P. White

Cooper & Dunham LLP
1185 Avenue of the Americas
New York, N.Y. 10036
212-278-6600
